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JC868 U.S. PTO

PATENT
JC868 U.S. PTO
10/035401
12/28/01

Myer's Docket No. MP0056.C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATION UNDER 37 C.F.R. 1.10

"Express Mail" Mailing Label Number: EL898554405US
Date of Deposit: 12/28/01

I hereby certify that this patent application is being deposited with the United States Postal Service on this date in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231.

Date: 12/28/01

Suzanne M. Forno
Suzanne M. Forno

APPLICATION TRANSMITTAL

Box Patent Application
Commissioner for Patents
Washington, DC 20231

Inventor(s): Lam, Yat-Tung

For: RACE AVOIDANCE IN DISK HEAD READ CIRCUIT

☒ Prior Application No. 09/660929 filed September 13, 2000. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Enclosed are the following items:

- A. ☒ Postcard
- B. ☒ Patent Application Data Entry Format
- C. ☒ Other (specify)
 - ☐ Form PTO 1595
 - ☒ Form PTO 1449
 - ☒ Information Disclosure Statement
- D. ☒ Declaration and Power of Attorney
 - ☒ executed

☐ Certified copies of the priority documents have been filed in the parent of this continuing application. The parent application, filed , was assigned Serial No. .

☒ Amend the specification by inserting before the first line, the sentence: -- This is a **Continuation** of pending prior application Serial No. 09/660929 filed on September 13, 2000 the contents of which are incorporated herein by reference.—

☐ Cancel in this application original claims ___ of the prior application before calculating the filing fee. (At least one original independent claim is retained for filing.)

- ☐ Applicant(s) presently intend(s) to file additional papers in this case after receiving an official Filing Receipt. Should the Examiner take this case up for action before receiving such papers, it is respectfully requested that the Examiner contact the attorneys for the applicant(s) at the telephone number shown below.
- ☐ A petition, fee and response has been filed, or a conditional petition is now being filed, in the prior application to extend the term of the pending prior application. Enclosed is a petition for extension of time in the prior application.

CLAIMS AS FILED (OTHER THAN SMALL ENTITY)

CLAIMS	(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Calculations
	Total Claims (37 CFR 1.16(c))	38 - 20 =	18	x \$18=	\$ 324.00
	Independent Claims (37 CFR 1.16(b))	5 - 3 =	2	x 84=	\$ 168.00
	Multiple Dependent Claims (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$0
	Provisional Application Filing Fee = (37 CFR 1.16(k))				\$
	Basic Fee = (37 CFR 1.16(a))				\$740.00
	TOTAL =				\$1,232.00

☒ Applicant(s) believe(s) that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

☒ The Commissioner is hereby authorized to charge and credit the credit card authorized in the attached Submission Of Credit Card Payment:

☒ Charge the total filing fee of \$ \$1,232.00 to the credit card authorized in the attached Submission Of Credit Card Payment.

☒ Charge any additional filing fees as required under 37 C.F.R. 1.16 and 1.17 to the credit card authorized in the attached Submission Of Credit Card Payment.

☒ Credit any overpayment to the credit card authorized in the attached Submission Of Credit Card Payment.

Request Not To Publish (SB35)

Please address all correspondence in connection with this application to:

Customer Number: 23624
Patent Department
Marvell Semiconductor, Inc.
645 Almanor Avenue
Sunnyvale, CA 94085

Eric B. Janofsky
Eric B. Janofsky

Registration No.: **30,759**

Telephone: (408) 222-2500

FAX: (408) 328-0918

Date: *12/28/01*

PATENT

Attorney's Docket No. MP0056.C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Lam, Yat-Tung

Group Art Unit: 2651

Serial No.: Not Yet Assigned

Examiner: A. Faber

Filed: Herewith

Title: Race Avoidance In Disk Head Read Circuit

TERMINAL DISCLAIMER AND CERTIFICATE UNDER 37 CFR §3.73(b)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Your petitioner, Marvell International Ltd., a corporation duly organized under the laws of Bermuda, having a principal office at 4th Floor Windsor Place 22 Queen Street, Hamilton HM 11 Bermuda and duly represented by the undersigned, represents that it is the assignee of the full title and interest in and to the above-identified Application, Serial No. not assigned, filed herewith as evidenced by the deed of Assignment in the original parent application Serial No. **09/660,929** filed on **September 13, 2000** recorded on **February 2, 2001** at Reel **011514**, Frame **0731**.

Your petitioner hereby disclaims the terminal part if any, of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of any U.S. patent issuing from Application Serial No. **09/660,929**, filed on or about **September 13, 2000**, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any U.S. patent issuing from Application Serial No. **09/660,929**, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any U.S. patent issuing from Application Serial No. **09/660,929**, in the event that subsequent hereto any U.S. patent issuing from Application Serial No. **09/660,929** expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is the subject of any disclaimer under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer.

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Customer No. 23624

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Lam, Yat-Tung

Group Art Unit: 2651

Serial No.: Not Yet Assigned

Examiner: A. Faber

Filed: Herewith

Title: Race Avoidance In Disk Head Read Circuit

CERTIFICATION UNDER 37 C.F.R. 1.10

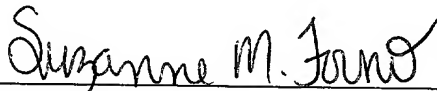
"Express Mail" Mailing Label Number: EL898554405US

Date of Deposit:

12/28/01

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Date: 12/28/01


Suzanne M. Forno

TRANSMITTAL LETTER

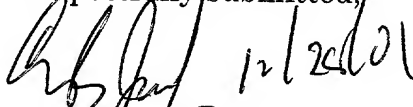
Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby submits a Terminal Disclaimer and Certificate Under 37 CFR 3.73(b) for the subject application.

The Commissioner is hereby authorized to charge the fee under 37 C.F.R. § 1.20(d) of \$110 and any additional fees to the credit card authorized in the attached Submission of Credit Card Payment.

Respectfully submitted,



Eric B. Janofsky
Attorney for Applicant
Registration No. 30759

Please address all correspondence to:
Marvell Semiconductor, Inc.
Intellectual Property Department
645 Almanor Avenue
Sunnyvale, CA 94085
Phone: (408) 222-1953
Fax: (408) 328-0918
Customer No. 23624
Date: 12/28/01

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application that would extend the full statutory term as presently shortened by any terminal disclaimer of the second issued patent in the event that both the first issued patent and the second issued patent later expire for failure to pay maintenance fees, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), have their respective claim canceled by a reexamination certificate, or are otherwise terminated prior to the expiration of their statutory term as presently shortened by any terminal disclaimers, except for the separation of legal title stated above.

CERTIFICATE UNDER 37 CFR §3.73(b)

Petitioner is the assignee of the entire interest in and to the above-identified application, as evidenced by a record assignment recorded on **February 2, 2001** at Reel **011514**, Frame **0731**, copy of which is attached to this disclaimer. Evidentiary documents have been reviewed and it is certified that, to the best of the assignee's knowledge and belief, title in the instant application is in the assignee seeking to take action herein.

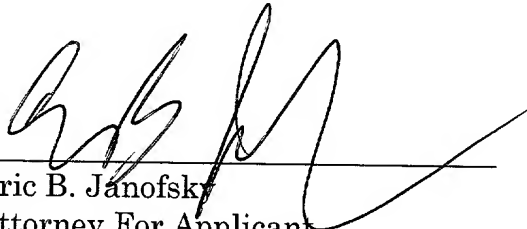
The undersigned is an attorney of record for the above-identified application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

12/24/01

By:


Eric B. Janofsky
Attorney For Applicant
Registration No. 30,759

Marvell Semiconductor, Inc.
645 Almanor Avenue
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Customer No. 23624
Tel. No. (408) 222-2500
Fax. No. (408) 328-0918
Date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Lam, Yat-Tung

Group Art Unit: Not Yet
Assigned

Serial No.: Not Yet Assigned

Examiner: Not Yet Assigned

Filed: Herewith

Title: Race Avoidance In Disk Head Read Circuit

**REQUEST AND CERTIFICATION
UNDER 35 U.S.C. 122(b)(2)(B)(i)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby certify that the invention disclosed in the attached application **has not been and is not intended, at this time, to be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.**

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Applicant reserves the right to subsequently file an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing. At that time, Applicant intends to notify the United

